

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: March 11, 1996

SUBJECT: **SB 2699 - HB 3103**

This bill, if enacted, provides that no utility company or private property owner may refuse a telecommunications service provider access to their property, including utility poles or conduits. The bill also provides that any franchise fee charged to a telecommunications service provider for access to property must be equal to fees charged to any other telecommunications service provider by the same property owner.

The fiscal impact from enactment of this bill is estimated to be an increase in local government revenue to the extent that government-owned utility companies charge a fee for access to their property that do not now charge such a fee, in the absence of the bill. Such increase cannot be determined but is estimated to exceed \$100,000.

In addition, the fiscal impact on local governments from enactment of this bill will depend upon the franchise fees, if any, currently being charged to telecommunications service providers by local governments for such access, the difference between the level of the fees charged current providers and that charged to new providers, and the number of

telecommunications service providers seeking such access. Such impact is estimated to be as follows:

1) An increase in local government revenues to the extent that local governments who charge current providers a lower fee than would be charged to new providers increase all fees (including those currently in place) to the level any new provider would be charged. Such increase cannot be determined but is estimated to exceed \$100,000.

2) A decrease in local government revenues to the extent that local governments who currently charge providers a lower fee than would be charged to new providers lower all fees to the level of the fees currently being charged in existing contracts. Such decrease cannot be determined but is estimated to exceed \$100,000.

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director